≥JS 44 (Rev. 11/04)

## **CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

. (a) PLAINTIFFS				DEFENDANTS					
MEDIA QUEUE, LLC				NETFLIX, INC.; BLOCKBUSTER, INC.; GAMEFLY, INC.; GREENCINE, LLC AND GREENCINE HOLDINGS, LLC.					
(c) Attorney's (Firm Name, Address, and Telephone Number) Patrick O'Connor, Moyers, Martin, Santee & Imel, LLP 401 South Boston, Suite 1100				County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY)  NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.					CA
									Attorneys (If Known)
				N/A		CIA 0 8 -	- 4 0 2 - K E W		
				I. BASIS OF JURISD	ICTION (Place an "X" in	One Box Only)	III. C	TIZENSHIP OF I	PRINCIPA
J 1 U.S. Government Plaintiff (U.S. Government Not a Party)			(For Diversity Cases Only)  PTF DEF  Citizen of This State  1 1 1 Incorporated or Principal Place  of Business In This State						
J 2 U.S. Government Defendant	☐ 4 Diversity (Indicate Citizenshi	☐ 4 Diversity  (Indicate Citizenship of Parties in Item III)		Citizen of Another State					
NA NA PANDE OF SAME				en or Subject of a reign Country	3 3 3	Foreign Nation		<b>1</b> 6 0	<b>J</b> 6
V. NATURE OF SUIT	(Place an "X" in One Box Onl		FOR	FEITURE/PENALTY	BANK	RUPTCY	ОТНЕ	R STATUTES	<u></u>
1 110 Insurance 1 120 Marine 1 130 Miller Act 1 140 Negotiable Instrument 1 150 Recovery of Overpayment & Enforcement of Judgment 1 151 Medicare Act 1 152 Recovery of Defaulted Student Loans (Excl. Veterans) 1 153 Recovery of Overpayment of Veteran's Benefits 1 160 Stockholders' Suits 1 190 Other Contract 1 195 Contract Product Liability 1 196 Franchise  REAL PROPERTY 1 210 Land Condemnation 1 220 Foreclosure 1 230 Rent Lease & Ejectment 1 240 Torts to Land 1 245 Tort Product Liability 1 290 All Other Real Property	PERSONAL INJURY  310 Airplane 315 Airplane Product Liability 320 Assault, Libel & Slander 330 Federal Employers' Liability 340 Marine 345 Marine Product Liability 350 Motor Vehicle Product Liability 360 Other Personal Injury CIVIL RIGHTS  441 Voting 442 Employment 443 Housing/ Accommodations 444 Welfare 445 Amer. w/Disabilities - Employment 446 Amer. w/Disabilities - Other 440 Other Civil Rights	PERSONAL INJUR  362 Personal Injury - Med. Malpractice 365 Personal Injury - Product Liability 368 Asbestos Persona Injury Product Liability PERSONAL PROPER 370 Other Fraud 371 Truth in Lending 380 Other Personal Property Damage Product Liability  PRISONER PETITION 510 Motions to Vacat Sentence Habeas Corpus: 530 General 535 Death Penalty 540 Mandamus & Otf 550 Civil Rights	Y	of Agriculture 20 Other Food & Drug 25 Drug Related Seizure of Property 21 USC 881 30 Liquor Laws 40 R.R. & Truck 50 Airline Regs. 60 Occupational Safety/Health 90 Other  LABOR 10 Fair Labor Standards Act 20 Labor/Mgmt. Relations 30 Labor/Mgmt.Reporting & Disclosure Act 40 Railway Labor Act 90 Other Labor Litigation 91 Empl. Ret. Inc. Security Act	□ 422 Appeal □ 423 Withdr 28 USC  PROPERT □ 820 Copy  ■ 830 Patent □ 840 Traden  SOCIAL S □ 861 HIA C □ 862 Black I □ 863 DIWC □ 864 SSID T □ 865 RSI (46	28 USC 158 awal 157  FY RIGHTS ghts nark  ECURITY 395ff) .ung (923) 'DIWW (405(g)) 'ittle XVI 05(g)) . TAX SUITS U.S. Plaintiff ndant) Chird Party	400 State I	Reapportionme ust and Banking nerce tation teteer Influenced to Organization imer Credit (Sat TV ive Service titles/Commodinge mer Challenge C 3410 Statutory Acticultural Acts omic Stabilizati onmental Matt y Allocation A om of Informat I of Fee Determ Equal Accessice itutionality of	d and ass
引 Original □ 2 Re	on the Court  Cite the U.S. Civil States 35 U.S.C. Section  Brief description of care	Appellate Court tute under which you am n 271, 284, 285 nuse:	Reo		ify)	☐ 6 Multidistr Litigation less diversity):	rict 🗀 /	Appeal to D Judge from Magistrate Judgment	
	Intringement of F	atent							
VII. REQUESTED IN COMPLAINT:	CHECK IF THIS UNDER F.R.C.P.	1S A CLASS ACTION 23	AN	EMANDS DAMAGO, PELMYNEN F	ES CH	ECK YES only  RY DEMAND:		n complaint:	
VIII. RELATED CASE IF ANY	(See instructions):	JUDGE	<u> </u>	JUNEATON	DOCKET	NUMBER			
DATE 10/24/2008		SIGNAPURB OF AT	TORNEY V	000	10-1				
OR OFFICE USE ONLY		<del>                                     </del>	<u> </u>			- <b>-</b> -			
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